

for personal packages; and supervises personnel confidential files. In support, the Director states that due to attrition and retirements, there has been no support staff within the Director's office. As such, he states that this position will begin to rebuild the administrative capacity and functions within the office and will include the following duties: coordinate office operations; maintain essential records, reports and files; organize assigned work; analyze problems and develop effective work methods; prepare organizational charts; attend core staff meetings and provide relevant updates; coordinate a fleet of vehicles including reporting, scheduling logs, credentials, scheduling preventative maintenance, and processing accident and new vehicle purchasing paperwork; and maintaining a tracking system; coordinating files for retention schedules; processing purchase orders and travel documents; obtaining quotes from vendors; and assisting in preparing and maintaining organizational charts.

CONCLUSION

N.J.A.C. 4A:3-3.9(e) states that in classification appeals the appellant shall provide copies of all materials submitted, the determination received from the lower level, statements as to which if portions of the determination are being disputed, and the basis for appeal. Information and/or argument which was not presented at the prior level of appeal shall not be considered.

The definition section of the job specification for Secretarial Assistant 2, Non-Stenographic states:

May be assigned as a secretary to deputy division directors, assistant directors, bureau chiefs or their organizational equivalents, having responsibility for the administration of major programs which include administration of a large sub-divisional unit, and management of large regional, field, or satellite installations (four or more regional entities), or Deans of State colleges; does related work as required.

The definition section of the job specification for Administrative Assistant 3 states:

Assists the head of a Bureau or Service in a State department, institution, or agency by performing and coordinating administrative support services; does other related work.

A review of the duties of the appellant's position indicates that they most closely match the job description for Secretarial Assistant 2, Non-Stenographic. The outcome of position classification is not to provide a career path to the incumbents, but rather is to ensure that the position is classified in the most appropriate title available within the state's classification plan. *See In the Matter of Patricia*

Lightsey (MSB, decided June 8, 2005), *aff'd on reconsideration* (MSB, decided November 22, 2005). Further, volume of work or how well or efficiently an employee does his or her job, their length of service, and their qualifications have no effect on the classification of a position currently occupied, as *positions*, not employees, are classified. Also, the fact that some of an employee's assigned duties may compare favorably with some examples of work found in a given job specification is not determinative for classification purposes, since, by nature, examples of work are utilized for illustrative purposes only. Moreover, it is not uncommon for an employee to perform some duties which are above or below the level of work which is ordinarily performed.

Further, it is long-standing policy that upon review of a request for position classification, when it is found that the majority of an incumbent's duties and responsibilities are related to the examples of work found in a particular job specification, that title is deemed the appropriate title for the position. In this regard, it is noted that titles are categorized as professional, para-professional or non-professional. *N.J.A.C. 4A:4-2.5(a)1* states that professional titles require at least a Bachelor's or higher-level degree, with or without a clause to substitute experience. Professional work is predominantly intellectual and character, as opposed to routine mental, manual, mechanical or physical work, and it involves the consistent exercise of judgment. It is basically interpretive, evaluative, analytical and/or creative, requiring knowledge or expertise in a specialized field of knowledge. This is generally acquired by a course of intellectual or technical instruction, study and/or research at an institution of higher learning or acquired through an in-depth grasp of cumulative experience. However, there must be thorough familiarity with all the information, theories and assumptions implicit in the chosen field. Persons in professional work should be able to perceive, evaluate, analyze, formulate hypothesis, and think in the abstract. Positions are considered professional when the work requires ***application*** of professional knowledge and abilities, as distinguished from either the desirability of such application or the simple possession of professional knowledge and abilities.

The Administrative Assistant series was created to classify positions responsible for performing a variety of duties to relieve the executive officer of administrative details relative to the internal operation of the unit, and coordinating support services to insure the availability and efficient use of resources needed to accomplish the goal of the unit. They are involved in analysis, determination, and implementation of changes and improvements of procedures that involve personnel, records management and movement (computerized and manual), budget and accounting recordkeeping, purchasing of services and materials, physical layouts of facilities, and workflow and operations procedures, *etc.* This is not a super-clerical or paraprofessional title, but belongs in the professional class, and the incumbent acts as principal assistant to the executive on administrative matters. The job definition does not state that performing and

coordinating administrative support services includes clerical duties. Positions that provide essential secretarial and clerical support services are not Administrative Assistant positions. See *In the Matter of Maria Marcello and Jacquetta Warren* (MSB, decided February 11, 2004).

The duties performed by the appellant are not commensurate with these duties. A review of the appellant's PCQ indicates that she: coordinates assigned secretarial duties and develops effective work methods, and provides secretarial support to the Director of CEOHS; maintains essential records, reports, and files and redesigned the filing system; maintains office equipment and supplies, and conducts inventory; expedites and coordinates services such as building maintenance requests, repairs, supplies, and mail; attends all CEOHS Core staff meetings, takes notes and provides relevant updates to staff; prepares confidential correspondence, ensures accuracy of documents, and logs in all incoming and outgoing documents submitted to the Office of the Director; coordinates activities related to time-keeping and ensures eCATS for the CEOHS is processed and submitted on time; coordinates fleet of State vehicles assigned to CEOHS including collecting and processing mileage reports, maintaining schedule logs, ensuring registration, insurance, and inspection is up to date, updating and maintaining vehicle tracking system, and processing and verifying reports, files, and claims for completeness/accuracy; answers phones and provides information about health benefits, directs to proper department and sends memos; and processes travel packages, travel reimbursements, and makes all arrangements for travel, conferences, and speaking engagements. The appellant did not dispute the duties listed by Agency Services, but indicated that her duties were more varied. The appellant's duties at the time of the classification review indicates that she is not *primarily* performing the professional duties required of an Administrative Assistant 2. The Administrative Assistant 2 should not routinely be performing secretarial and clerical duties, and the predominance of the appellant's duties are not at a professional level which would warrant a higher title. The appellant primarily provides essential secretarial and clerical support services consistent with the Secretarial Assistant 2, Non-Stenographic title.

Additionally, some of the information given by the appellant's supervisor represents a change in duties since the classification review. If her duties have changed significantly since she submitted her PCQ in May 2018, the appellant may request another review with Agency Services. In accordance with *N.J.A.C. 4A:3-3.9(e)*, an appeal to the Commission involves an analysis of the determination below, not an opportunity to present new duties.

Accordingly, a thorough review of the entire record fails to establish that Michelle Smith has presented a sufficient basis to warrant an Administrative Assistant 3 classification of her position.

ORDER

Therefore, the position of Michelle Smith is properly classified as Secretarial Assistant 2, Non-Stenographic.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 9th DAY OF MAY, 2019



Deirdre L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher S. Myers
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P. O. Box 312
Trenton, New Jersey 08625-0312

c: Michelle Smith
Loreta Sepulveda
Kelly Glenn
Records Center